

PREET BHARARA

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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

AMERICAN CIVIL LIBERTIES
UNION *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
JUSTICE *et al.*,

Defendants.

15 Civ. 9002 (PKC)

DECLARATION OF ARASTU K. CHAUDHURY

ARASTU K. CHAUDHURY, pursuant to the provisions of 28 U.S.C. § 1746, affirms,
under penalty of perjury, as follows:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Southern District of New York, and I represent the Defendant United States Department of Justice in the above-captioned action. I respectfully submit this declaration in further support of Defendant's Motion for Summary Judgment and in opposition to Plaintiffs' cross-motion for summary judgment.

2. Attached hereto are true and correct copies of the following documents:

- Exhibit A: *Elec. Privacy Info. Ctr. v. Dep't of Justice*, Nos. 06- 096, 06-214 (RCL), Dkt. 58 (D.D.C. filed Dec. 18, 2007) (Memorandum in Opposition to Defendant's Renewed Motion for Summary Judgment and in Support of Plaintiffs' Renewed Cross-Motion for *In Camera* Review).
- Exhibit B: *New York Times Co. v. Dep't of Justice*, Nos. 14-4432, 14-4764, Dkt. 45 (2d Cir. filed Feb. 3, 2015) (Brief for Plaintiffs-Appellants American Civil Liberties Union and American Civil Liberties Union Foundation).
- Exhibit C: *New York Times Co. v. Dep't of Justice*, Nos. 14-4432, 14-4764, Dkt. 73 (2d Cir. filed Feb. 18, 2015) (Brief of *Amici Curiae* Senators Ron Wyden, Rand Paul, Jeff Merkley, and Martin Heinrich).
- Exhibit D: *New York Times Co. v. Dep't of Justice*, Nos. 14-4432, 14-4764, Dkt. 98 (2d Cir. filed Apr. 16, 2015) (Reply Brief for Plaintiffs-Appellants American Civil Liberties Union and American Civil Liberties Union Foundation).
- Exhibit E: *New York Times Co. v. Dep't of Justice*, Nos. 14-4432, 14-4764, Dkt. 141 (2d Cir. filed Jan. 7, 2016) (Petition for Panel Rehearing or Rehearing En Banc on behalf of the American Civil Liberties Union and American Civil Liberties Union Foundation).
- Exhibit F: *New York Times Co. v. Dep't of Justice*, Nos. 14-4432, 14-4764, Dkt. 146 (2d Cir. filed March 31, 2016) (Order Denying Rehearing).

Dated: New York, New York
May 5, 2016

/s/Arastu K. Chaudhury

Arastu K. Chaudhury